



**Midvale City  
CITY COUNCIL MEETING  
Minutes**

**Tuesday, November 10, 2015  
Council Chambers  
7505 South Holden Street  
Midvale, Utah 84047**

---

**MAYOR:** Mayor JoAnn B. Seghini

**COUNCIL MEMBERS:** Council Member Wayne Sharp  
Council Member Stephen Brown  
Council Member Paul Glover  
Council Member Paul Hunt  
Council Member Quinn Sperry

**STAFF:** Kane Loader, City Manager; Phillip Hill, Assistant City Manager/Community Development Director; Laurie Harvey, Assistant City Manager/Admin. Services Director; Rori Andreason, H.R. Director/City Recorder; Bob Davis, Public Works Director; Chad Woolley, City Attorney; Chief Tony Mason, UPD Midvale Precinct; Battalion Chief Scott McBride, UFA; Annaliese Eichelberger, RDA Coordinator; and Jarin Blackham, IT Manager.

Mayor Seghini called the meeting to order at 6:30 p.m.

**I. GENERAL BUSINESS**

**A. Welcome and Pledge of Allegiance**

**B. Roll Call** – Council Members Stephen Brown, Paul Hunt, Wayne Sharp, Quinn Sperry and Paul Glover were present at roll call.

**C. Employee Service Awards**

Mayor Seghini awarded the following Employee Service Awards:

- Tony Flores – 35 Years
- Phillip Hill – 15 Years
- Michelle Henderson – 5 Years
- Andrea Andreason – 5 Years

**D. Policy Group Training**

Jona Whitesides, Preparedness Bureau Chief of the Utah Division of Emergency Management; and Judy Watanabe, Deputy Director of the Utah Division of Emergency Management were present to provide Emergency Operations Center training.

Jona Whitesides discussed volunteers and keeping track of the hours. Jesse Valenzuela discussed what would happen in an emergency. He stated this will be ongoing training for the future.

## **II. INFORMATIONAL ITEMS**

### **A. DEPARTMENT REPORTS**

Chief Mason reported briefly on the recent shooting at the Mouse Pad. Councilmember Sharp asked about the crossing on State Street with the flashing yellow lights? Chief Mason said he had not heard anything yet. Phillip Hill said he would check on it. Councilmember Paul Glover said it is just a poor design and is very dangerous for pedestrians.

Battalion Chief McBride said he would challenge the policy group to do some studying about other disasters in the area to assist with their understanding of emergency procedures.

Laurie Harvey said she sent out the financial statements for October. Also, Michelle Henderson prepared an excellent memorandum regarding indigent defense that she will discuss with the Council in a future meeting.

Phillip Hill reported on the completion of the city wide lighting project. He reported that the numbers he received on the Christmas lighting on State Street would cost at least \$100,000. He did not think that was a wise expenditure of funds. He said there are a lot of banners that can be bought instead. He said he may look at a battery powered option in the future but so far the battery powered lights are only for residential use.

Annaliese Eichelberger distributed the 2015 Annual Report for the Redevelopment Agency. She then distributed a Community Development Area frequently asked questions handout and provided it to the audience as well. She discussed the options for the public art placement. The Council discussed a gateway to Midvale. They would like this issue brought back as a discussion item.

Bob Davis reported on the bulky waste cleanup. The leaf bag program just started. Beginning next Monday for two weeks Ace Disposal will pick up the bags. He said staff is also prepared for snow plow season.

Rori Andreason reported on the decoration of the Christmas Trees, the scheduled Legislative Breakfast and the signing of an amended proclamation.

## **III. CITY MANAGER'S REPORT**

Kane Loader discussed a meeting with Salt Lake County and the Canyons School District regarding a swimming pool. The Superintendent recently committed to some funding for a swimming pool in Draper City and said he would do the same for Midvale City. Because the school district has committed to assist with funding the Salt Lake County Parks and Recreation said they would move the swimming pool for Midvale up on their schedule. He said he did voice the Council's concerns to the County. He discussed the cost to have the CBC located in the old city hall. The costs are approximately \$3600 per month. He has put the CBC and the Clinic

on notice that they have to vacate the building by the end of the month so the building can be demolished. He has also been working with the architect on designs for the old senior center. He will bring those back for review. He reported on a meeting with the Council of Governments in which the Governor attended. He discussed the functionality of the state capitol which is the best in the country. He commended the Council for doing the same with the buildings they are building for this community. He also discussed a bike lane corridor. He said Representative Eliason will be running a bill this legislature to amend election procedure due to the voluminous amount of ballots received the day after the election. There were more than 24,000 ballots that came in after the election. These ballots are valid if postmarked the day before the election. This leaves the election candidates guessing on the results for an additional two weeks until the canvass. This bill will remedy this situation.

**IV. PUBLIC COMMENTS**

Sophia Hawes-Tingey said she just put in her application for the Planning Commission. She asked to keep her in mind for any openings.

**V. COUNCIL REPORTS**

- A. Councilmember Wayne Sharp** – nothing.
- B. Councilmember Stephen Brown** – reported on his new baby boy.
- C. Councilmember Paul Glover** – thanked everyone for a good election.
- D. Councilmember Paul Hunt** – said as he was campaigning, he received a lot of great comments to his responsiveness. He thanked the staff for being so responsive to him so he could get the information to the residents.
- E. Councilmember Quinn Sperry** – said the Community Council has invited the Council to attend holiday pot luck on Wednesday, Dec 2nd meeting at 7:00 p.m. He talked to the homeowner who had a car go through his house who has installed some cement barriers. He asked if the stop sign at that intersection could be illuminated to maybe assist with the problem there.

**VI. MAYOR REPORT**

**Mayor JoAnn B. Seghini** – said the Veteran's Day Ceremony will be held on Wednesday, November 11<sup>th</sup> at the memorial in the cemetery. There will also be a free breakfast following the program. This honors all veterans.

**VII. CONSENT AGENDA**

- A. APPROVE MINUTES OF OCTOBER 20, 2015**
- B. SET DATE AND TIME (NOVEMBER 17, 2015 AT 7:00 PM) FOR A PUBLIC HEARING TO CONSIDER A TEXT AMENDMENT REGARDING FEATHER FLAGS AS AN ALLOWED TYPE OF TEMPORARY SIGNAGE**

**C. SET DATE AND TIME (NOVEMBER 17, 2015 AT 7:00 PM) FOR A PUBLIC HEARING TO CONSIDER A PRELIMINARY SUBDIVISION PLAT FOR FOUNDERS POINT (FORMERLY KIMPTON SQUARE), LOCATED AT APPROXIMATELY 7612 SOUTH HOLDEN STREET**

**MOTION:** Councilmember Wayne Sharp MOVED to approve the consent agenda. The motion was SECONDED by Councilmember Paul Glover. Mayor Seghini called for discussion on the motion. There being none the she called for a roll call vote. The voting was as follows:

Council member Stephen Brown	Aye
Council member Paul Glover	Aye
Council member Paul Hunt	Aye
Councilmember Wayne Sharp	Aye
Council member Quinn Sperry	Aye

The motion passed unanimously.

**VIII. ACTION ITEM**

**A. FINAL SUBDIVISION PLAT APPROVAL FOR THE STATION AT MIDVALE CONDOMINIUMS LOCATED AT 7682-7696 SOUTH CENTER SQUARE AND 137 WEST PARK STREET**

Lesley Burns stated the Station at Midvale project is the 186 unit multi-family development located at 7682-7696 South Center Square and 137 West Park Street. The Conditional Use Permit and Preliminary Site Plan for the project were approved by the Planning Commission on June 24, 2015. The Final Site Plan for the project was recently approved by Staff. This development proposal also included the review of a subdivision plat that would create a condominium project, allowing each residential unit to be individually owned and create a homeowners association to own and maintain all of the common areas inside the buildings as well as the property outside the buildings. The Planning Commission forwarded a recommendation to the City Council to approve this subdivision plat, and on September 1, 2015, the City Council approved the plat with the following conditions:

1. The applicant shall prepare a final subdivision plat to be reviewed and approved by the City Engineer and City Council.
2. Prior to the final subdivision plat approval, the applicant shall obtain final site plan approval for the project.
3. The applicant shall provide evidence that a courtesy notice has been sent to Questar Gas, Rocky Mountain Power, Comcast Cable, Utopia and Century Link regarding the utility easements on the subdivision plat prior to final approval.
4. The applicant shall prepare a declaration of covenants, conditions and restrictions, including the creation of a homeowners association, for the development. This document shall be recorded concurrently with the subdivision plat.

The applicant has submitted a final subdivision plat, as well as the required declaration. He has also contacted all of the utility companies. The condominium plat and declaration have been reviewed by Staff and found to be consistent with the preliminary subdivision and final site plan approvals. Staff recommended approval.

**MOTION:** Councilmember Wayne Sharp **MOVED** that we approve the Final Subdivision Plat for the Station at Midvale Condominiums located at 7682-7696 South Center Square and 137 West Park Street with the following conditions:

1. The applicant shall obtain all required signatures on the condominium plat Mylar.
2. The Declaration of Condominiums for the project shall be recorded concurrently with the plat.

The motion was **SECONDED** by Councilmember Quinn Sperry. Mayor Seghini called for discussion on the motion. There being none the she called for a roll call vote. The voting was as follows:

Council member Stephen Brown	Nay
Council member Paul Glover	Aye
Council member Paul Hunt	Aye
Councilmember Wayne Sharp	Aye
Council member Quinn Sperry	Aye

The motion passed 3-1 in favor.

#### **IX. DISCUSSION**

##### **A. DISCUSS MIDVALE CITY MITIGATION PLAN**

Jesse Valenzuela distributed GETS cards to the Council for their use during a disaster to contact their families. He then discussed the proposed Midvale City Mitigation Plan. He said it is very important for the Council to approve this plan in order to allow the City to recoup costs during a disaster. He discussed the proposed plan in further detail.

##### **B. DISCUSS A PROPOSED TEXT AMENDMENT REGARDING FEATHER FLAGS AS AN ALLOWED TYPE OF TEMPORARY SIGNAGE**

Annaliese Eichelberger said Local business owners have asked that staff look into the possibility of adding Feather Flags as an allowable type of temporary sign requiring a temporary sign permit. Currently the city allows Banners, Mobile Changeable Copy signs, Balloon signs, and Pennants/Streamers. This would apply to the RM-12, RM-25, 7200 S Overlay, SSC, RC, TOD, BJ, HC, CI, and SSOZ zone districts and could be used by apartment complexes and businesses. The Planning Commission reviewed the proposed amendment on September 23<sup>th</sup>, 2015. On October 14<sup>th</sup>, the Planning Commission conducted a public hearing and forwarded a recommendation to the City Council. The Planning Commission recommended approval of the text amendment with the specific recommended language as included Attachment A. To summarize, the Planning Commission's recommendation includes the following changes to the ordinance:

##### ***Proposed definition:***

Feather Flag" means a vertical portable temporary sign that contains a harpoon-style pole or staff driven into the ground for support or supported by means of an individual stand and has a maximum height of 12 feet.

***Proposed language:***

- RM-12, RM-25
  - a. One (1) feather flag per 50 feet of frontage or a maximum of five (5) are allowed for multifamily projects over thirty five (35) units. Feather flags may be displayed on private property for a period of fourteen consecutive days per calendar quarter up to four times per calendar year. A temporary sign permit shall be required for each display period.
- 7200 S Overlay, SSC, TOD, BJ, HC, RC, CI, SSOZ
  - a. A maximum of one (1) feather flag is allowed per business in a multitenant building. One (1) feather flag per 50 feet of frontage or a maximum of five (5) are allowed for stand-alone businesses. Feather flags may be displayed on private property for a period of fourteen consecutive days per calendar quarter up to four times per calendar year, with a maximum height of twelve (12) feet. A temporary sign permit shall be required for each display period.

The Council and staff discussed the use of the feather flags and the permit fees.

**C. DISCUSS A PRELIMINARY SUBDIVISION PLAT FOR FOUNDERS POINT (FORMERLY KIMPTOM SQUARE), SUBDIVISION LOCATED AT APPROXIMATELY 7612 SOUTH HOLDEN STREET**

Lesley Burns stated On April 22, 2015, the Planning Commission approved an amended Large Scale Master Plan (LSMP) for the Silver Refinery Overlay area located at the northwest corner of 7800 South and Holden Street. This LSMP includes a 2.21 acre multi-family residential area, a 6.31 acre medium density single family detached residential area, and a 0.84 acre public open space area. In conjunction with the LSMP, the Kimpton Square Subdivision was approved and recorded dividing these three areas into individual lots. On June 24, 2015, the Planning Commission approved a Small Scale Master Plan for the single family detached and public open space areas (Lots 2 and 3 of the Kimpton Square Subdivision). The single family detached project includes 67 detached residential units with four housing model types, a private road system with five-foot sidewalks and guest off-street parking, and open space/landscape area with recreation amenities. The City Council approved a Development Agreement for the overall project on August 18, 2015. This Development Agreement lays out the expectations and timing of improvements for the overall project. The Developer of the multi-family residential area has received final approvals and has begun construction on the corner multi-family area. The Developer of the single family and public open space has more recently submitted a final site plan for the single family and public open space areas. These plans are currently being reviewed by Staff.

It has always been the intent of the Developer of the single-family area to create a “for sale” housing product. In order to do that, a subdivision plat, designating the individual residential units, is required. The applicant has started the subdivision review process, and is requesting approval from the City Council on a preliminary subdivision plat that will further divide Lot 2 into the 67 individual residential units and common area. The common area, a combination of common and limited common designations, includes the private roads, and landscape and recreation amenity areas. The intent of the plat is to allow each unit to be owned by an individual

and all other areas to be owned by a home owners association (HOA). The limited common areas around each unit, although owned by the HOA, would be primarily used and maintained by the adjacent unit owner; the common areas, i.e. private roads and larger landscape/recreation amenities, would be maintained by the HOA through a contracted property management company. This relationship and associated responsibilities will need to be articulated in a required declaration of covenants, conditions and restrictions document (CC&R's) that is recorded along with the subdivision plat.

The proposed preliminary subdivision plat for the Founders Point Subdivision is attached. This plat reflects and is consistent with the approved Small Scale Master Plan for this development area, including the public easement for access to the public open space and shared guest parking between developments. The Development Agreement requires notes be included on the subdivision plat to ensure specific conditions of the site plan are addressed when Building Permits are reviewed for the individual units and to notify prospective buyers of certain requirements and expectations. These notes include designating units requiring sprinkler systems, vapor mitigation, side by side two car garages; units being entirely constructed within designated building footprints; maintaining 10 foot separation. There are some modifications and additions to the notes on the proposed preliminary plat that will need to be included on the final subdivision plat. In addition, the final subdivision plat will not be able to be approved until the final site plan for the project is approved.

On October 28, 2015, the Planning Commission forwarded a recommendation to the City Council to approve the proposed Founders Point preliminary subdivision plat. The Planning Commission's recommendation included the following conditions:

1. The applicant shall prepare a final subdivision plat to be reviewed and approved by the City Engineer, Fire Marshal, City Planner and City Council.
2. The final subdivision plat shall include the notes required by the Development Agreement, i.e. designating units requiring sprinkler systems, vapor mitigation, side by side two car garages; units being entirely constructed within designated building footprints; maintaining 10 foot separation.
3. The final subdivision plat shall note the book and page of the recorded access and parking easement as part of the legend.
4. Prior to the final subdivision plat approval, the applicant shall obtain final site plan approval for the development.
5. The applicant shall prepare a declaration of covenants, conditions and restrictions, including the creation of a homeowners association, for the development. This document shall include, among others, the items required by the Planning Commission in its Small Scale Master Plan approval. This document shall be recorded concurrently with the subdivision plat.

The applicant is working on completing these items, including obtaining approval of the final site plan for the project.

**IX. CLOSED SESSION TO DISCUSS THE CHARACTER, PROFESSIONAL COMPETENCE, OR PHYSICAL OR MENTAL HEALTH OF AN INDIVIDUAL**

Proceedings of the Midvale City Council Meeting  
November 10, 2015

**MAYOR:** Mayor JoAnn B. Seghini

**COUNCIL MEMBERS:** Council Member Wayne Sharp  
Council Member Stephen Brown  
Council Member Paul Glover  
Council Member Paul Hunt  
Council Member Quinn Sperry

**STAFF:** Kane Loader, City Manager; Phillip Hill, Assistant City Manager/Community Development Director; Laurie Harvey, Assistant City Manager/Admin. Services Director; Rori Andreason, H.R. Director/City Recorder; and Chad Woolley, City Attorney.

**MOTION:** Councilmember Wayne Sharp MOVED to go into a closed session to discuss the character, professional competence, or physical or mental health of an individual. The motion was SECONDED by Councilmember Quinn Sperry. Mayor Seghini called for discussion on the motion. There being none the she called for a roll call vote. The voting was as follows:

Council member Stephen Brown	Aye
Council member Paul Glover	Aye
Council member Paul Hunt	Aye
Councilmember Wayne Sharp	Aye
Council member Quinn Sperry	Aye

The motion passed unanimously.

The Council went into closed session at 9:05 p.m.

**MOTION:** Councilmember Wayne Sharp MOVED to reconvene into open session. The motion was SECONDED by Councilmember Stephen Brown. Mayor Seghini called for discussion on the motion. There being none the she called for a vote. The motion passed unanimously

The Council reconvened into open session at 9:30 p.m.

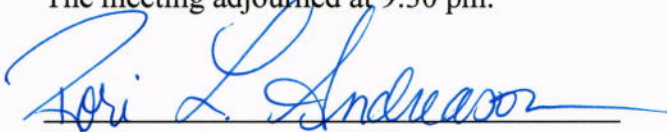
**X. ADJOURN**

**MOTION:** Councilmember Wayne Sharp MOVED to adjourn the meeting. Councilmember SECONDED the motion. Mayor Seghini called for discussion on the motion. There being none, she called for a vote. The motion passed unanimously.



Proceedings of the Midvale City Council Meeting  
November 10, 2015

The meeting adjourned at 9:30 pm.



**Rori L. Andreason, MMC**  
**CITY RECORDER**



Approved this 17th day of November, 2015.



***Tuesday, November 10, 2015***

[illegible]

